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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

PROFESSIONAL NURSE
DEVELOPMENT, INC., a Utah corporation,
ACADEMY OF NURSING, LLC., a Utah
limited liability company

Plaintiff,

vs.

MATT STOKER, IVY HALL ACADEMY
OF NURSING, INC., a Utah corporation
d/b/a ACADEMY OF NURSING
DEVELOPMENT and ACADEMY OF
NURSE DEVELOPMENT, and Does 1-5,

Defendants.

**PLAINTIFF'S EX PARTE MOTION
FOR LEAVE TO FILE
ORVERLENGTH MEMORANDUM**

(Filed Under Seal)

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Civil No. _____

Judge _____

Plaintiffs Professional Nursing Development, Inc. and Academy of Nursing, L.L.C., respectfully moves this court for leave to file a memorandum in support of its *Ex Parte* motion for a temporary Restraining Order, an Order for Seizure and Impoundment, an Order for Expedited Discovery, and an Order to Show Cause re preliminary injunction that exceeds the standard page limitation. Plaintiffs seek to leave to file a memorandum of 13 pages, inclusive of

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the introduction, statement of facts, statement of relief sought, argument, and conclusion.

Plaintiffs seek leave to file an overlength memorandum to adequately inform the Court of the nature and bases of the relief requested. Good cause exists for an overlength memorandum because plaintiffs's motion seeks four separate types of relief. One of those types of relief is a temporary restraining order, which requires and merits complete treatment.

For these reasons, plaintiffs respectfully requests that their *Ex Parte* Motion for Leave to File and Overlength Memorandum be granted. A proposed form of Order Granting Leave to File Overlength Memorandum is attached hereto as Exhibit A.

DATED this 26 day of July, 2002.

OSBORNE & BARNHILL, P.C.



BRIAN R. BARNHILL
Attorneys for Plaintiff

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Please see the
case file.